

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CARL W. HEFTON (individually, and on behalf of :
DOUG TURNER, TROY FIELDS, RICHARD
BLACKMON, BOB CARTER, DALE KESLER, :
RICHARD CAPERTON, DAN CONWAY AND
ELLIOTT S. OSHRY), and BEN G. GILL (individually, : 07-CV-9586 (RPP)
and on behalf of BRIAR TREE, LTD) :
: **AFFIDAVIT OF SERVICE**
Plaintiffs, :
:
-against- :
:
VISCERN HOLDING CORPORATION, :
:
Defendant. :
----- X

STATE OF NEW YORK)
)ss.:
COUNTY OF NEW YORK)

Wendi Leon, being duly sworn, deposes and says:

1. I am not a party to the action, am over 18 years of age and reside in Queens County, New York.

2. On June 17, 2008 I served a true and correct copy of the Plaintiffs' Notice of Voluntary Dismissal Under Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, via U.S. mail, in a properly addressed envelope, and deposited same in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York upon the following party:

Christopher M. Mason, Esq.
Nixon Peabody, LLP
437 Madison Avenue
New York, New York 10022

/s/ Wendi Leon
WENDI LEON

Sworn to before me this
17th day of June, 2008

/s/ Michael C. Sferlazza
NOTARY PUBLIC